

PATENT

ATTORNEY DOCKET N°: FRY 03-1-1
EXPRESS MAIL LABEL N°: EV 338 283 830 US

NONPROVISIONAL PATENT APPLICATION TRANSMITTAL LETTER

MAIL STOP PATENT APPLICATION
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450



Transmitted herewith for filing is the patent application of:

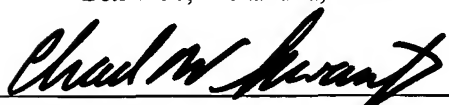
INVENTORS:

Robert C. Fry	William H. Sprague, Jr.	Craig L. Fuller
15714 Polk Circle	5755 Hilltop Street	5201 Cass Street
Omaha, NE 68135	Papillion, NE 68133	Omaha, NE 68132
Citizen of United States	Citizen of United States	Citizen of United States

Title: **GRADUALLY PROGRESSIVE BORE BB-FLAT, CC, E-FLAT, F, OR B-FLAT VALVED MUSICAL WIND INSTRUMENT AND VALVED B-FLAT/F INVERTED DOUBLE MUSICAL WIND INSTRUMENT**

CERTIFICATION UNDER 37 C.F.R. §1.10

I hereby certify that this Nonprovisional Patent Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date, July 22, 2003 in an envelope as "Express Mail Post Office to Addressee", Mailing Label N° EV 338 283 830 US, with sufficient postage, addressed to: MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Chad W. Swantz

DATED: July 22, 2003

1. **Type of Application**

This is a Nonprovisional Application.

2. **Benefit of Prior U.S. Application(s) (35 U.S.C. § 119(e))**

<u>USSN</u>	<u>Filing Date</u>	<u>Inventor(s)</u>	<u>Status</u>
60/397,453	07/22/02	Fry	Pending

3. Papers Enclosed That Are Required for Filing Date under 37 C.F.R. §1.53(b) (Regular) or 37 C.F.R. §1.153 (Design) Application

One Hundred Eleven (111) Pages of Specification;

Twenty-Five (25) Pages of Claims;

One (1) Page of Abstract; and

Fifty-Eight (58) Sheets of Drawing Figures.

4. Additional Papers Enclosed

Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) is attached.

5. Declaration or Oath

Signed Declaration and Power of Attorney is attached.

6. Inventorship Statement

The inventorship for all the claims in this application are the same.

7. Language

English.

8. Assignment

None.

9. Certified Copy

None are required.

10. Fee Calculation (37 C.F.R. §1.16)

BASIC FEE

Standard Fee	\$375.00	\$375.00
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EXCESS CLAIM FEE

TOTAL OVER TWENTY	-	
	18 20 0 0	\$9.00 \$0.00

INDEPENDENT OVER THREE	3 -3 0 0	\$42.00 \$0.00
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MULTIPLE DEPENDENT		\$140.00 \$0.00
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ASSIGNMENT RECORDATION FEE		\$40.00 \$0.00
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TOTAL FILING FEES		<u>\$375.00</u>
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11. Small Entity Status

Applicant specifically requests small entity status under 37 C.F.R. §1.27.

12. Request for International - Type Search (37 C.F.R. §1.104(d))

None required.

13. Authorization to Charge Fees

The Commissioner is hereby authorized to charge the filing fees of **\$375.00** to Deposit Account N^o 19-4882. Please charge any underpayments related to this filing or credit any excess to Deposit Account N^o 19-4882. A copy of this *Transmittal* is enclosed for accounting purposes only.

Please direct all correspondence and telephone calls to:



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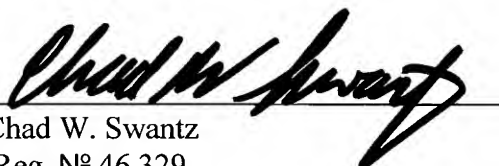
PATENT TRADEMARK OFFICE

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DATED: July 22, 2003.

Respectfully submitted,
Robert Fry,

By


Chad W. Swantz
Reg. N^o 46,329

This Transmittal Ends With This Page.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

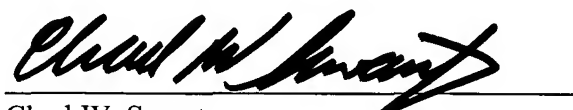
In re Application of : Robert C. Fry, et al.
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Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST AND CERTIFICATION
UNDER 35 U.S.C. 122(b)(2)(B)(i)**

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Dated: July 22, 2003


Chad W. Swantz
Reg. N^o 46,329

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**